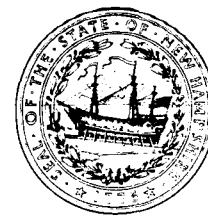




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

August 13, 2004

LETTER OF DEFICIENCY #WSEB #04-106
Certified Mail #7000 0600 0023 9933 3397

Albert Witham
58 Brown Road
Deerfield, NH 03037

Subject: Fremont - Public Water System: Countryside Homes (EPA #0873010)

Dear Mr. Witham:

The records of the NH Department of Environmental Services (DES) show that Countryside Homes water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit chemical samples according to the system's established sampling schedule to the State laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 326. Pursuant to Env-Ws 351, the failure to submit a chemical sample requires that public notice of such failure be given to all consumers.

CHEMICAL SAMPLING

DES records show that the subject water system failed to submit the following chemical sample result for the following monitoring period (calendar quarter).

Quarter 1, 2004 – Combined Radium 226 and 228 (RAD)

As a result of the failure to submit the above-described sample, a Notice of Violation (NOV), dated **June 2, 2004**, was sent to you (copy enclosed). The NOV requested that you immediately submit the above-described sample as a make-up sample. To date, DES has not received the make-up sample result, thus placing the water system in violation of Env-Ws 326. DES believes the monitoring/reporting deficiency can be addressed by taking the following actions:

1. **By August 27, 2004**, submit the RAD sample as a "make-up sample" to the State laboratory or a State-certified laboratory. Please use the enclosed analysis result form when submitting the sample to your laboratory.
2. **By August 27, 2004**, provide proof of public notice to DES for the failure to submit the Quarter-1 2004 RAD sample, as specified on the enclosed form.

CONSUMER CONFIDENCE REPORT

Pursuant to Env-Ws 352, the water system owner is required to issue to the system's customers a Consumer Confidence Report (CCR) by July 1st of each year. Env-Ws 352 also requires the system owner to forward a copy of the CCR to DES by July 1st of each year and to submit certification of the CCR to DES by October 1st of each year. DES records show that the subject water system failed to prepare and deliver the 2004 CCR to customers and DES by July 1, 2004. The failure to prepare and deliver the 2004 CCR places the water system in violation of Env-Ws 352.

DES believes the CCR violation can be corrected and future violations prevented by taking the following actions:

1. **By August 27, 2004**, prepare and deliver to the water system's customers and DES the 2004 Consumer Confidence Report containing calendar year 2003 drinking water information; and
2. **By October 1, 2004**, submit to DES the 2004 CCR certification.

A CCR template with instructions is available for downloading free of charge at www.des.state.nh.us/wseb/ccr.htm. If your system uses the state laboratory, laboratory results are available from this website also. Please contact Richard Thayer at (603) 271-2950 or by email at rthayer@des.state.nh.us, if you have any questions regarding the preparation and certification of the 2004 CCR.

In the event compliance is not achieved within this period, DES may take further enforcement action. These actions include issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The proof of public notice and the 2004 CCR Certification Form as requested above should be addressed as follows or faxed to (603) 271-5171:

Betsey McNaughten
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions regarding this letter, please contact Betsey McNaughten at (603) 271-0659 or by email at emcnaughten@des.state.nh.us.

Sincerely,

COPY

Rene Pelletier, P.G., Manager
Land Resource Programs

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Encs : Notice of Violation, dated June 2, 2004

Analysis Request Form

Public Notice Form

2004 CCR Certification Form

cc: Gretchen R. Hamel, Administrator, DES Legal Unit (w/o encl.)

Town of Fremont Health Officer (w/o encl.)

Richard Fisher, Primary Operator

Jeanne Lawson, DES WSEB

EPA, Region 1 (w/o encl.)

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